

**WEST TISBURY  
COMMONWEALTH OF MASSACHUSETTS**

**WARRANT FOR  
SPECIAL TOWN MEETING**

County of Dukes County, SS  
To Either of the Constables of the Town of West Tisbury,

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of West Tisbury qualified to vote in elections and in Town affairs to meet in the **West Tisbury Elementary School**, Old County Road, in said Town on **Tuesday the fifth day of June, two thousand and twelve**, at **seven o'clock** in the evening; then and there to act on the articles of this Warrant.

**ARTICLE 1:** To see if the Town will vote to accept the provisions of G.L. c. 140, § 147A, which empowers the Town to enact by-laws relative to the regulation of dogs.

**(RECOMMENDED 4-0)**

**ARTICLE 2:** To see if the Town will vote to amend the general by-law regulating dogs adopted by the Annual Town Meeting held on May 20, 1975. Deletions to the existing text are shown below by “striking” the deleted language, and additions to the existing text are shown in italics.

**RESTRAINT OF DOGS**

~~All dogs owned or kept within the limit of the Town shall be restrained from running at large or shall be kept within the immediate control of their owners and keepers.~~ *No person who owns or keeps a dog shall allow the animal under his care to run free when not restricted to the premises of said owner or keeper. When off premises of the owner or keeper, all dogs shall be leashed or restricted. The Animal Control Officer, or any member of the Police Department, may apprehend all dogs which are not so restrained and controlled.* ~~and may prosecute all violations of this by-law as provided in Chapter 140 Section 173A Massachusetts General Laws.~~ Upon apprehension of any dog found in violation of this by-law, the ~~Dog~~ **Animal Control Officer (ACO), or any member of the Police Department,** may impound such dog, and shall make a record upon which shall be recorded the breed, color, and sex of said dog and whether or not it is licensed. If licensed, ~~he~~ **the ACO** shall enter the new name and address of the owner, and the number of the license tag. The owner, if known, shall be notified as soon as possible that the dog has been impounded. The owner of any dog so impounded may reclaim such dog upon payment of the license fee, if unpaid, and all costs and charges incurred by the Town for apprehending, impounding and maintenance of said dog.

*No dog shall be allowed to deposit feces not removed by the dog’s owner or keeper upon any property other than that of the dog’s owner or keeper.*

*Any person violating any provision of the by-law shall be punished by a fine of \$50 for the first offense, \$100 for the second offense, and \$250 for the third and subsequent offenses, and the Dog Officer and members of the Police Department are authorized to use the non-criminal disposition provisions of G. L. c. 40, § 21D, to enforce this By-law.*

**(RECOMMENDED 4-0)**

**ARTICLE 3:** To see if the Town will vote to adopt the following By-law:

**Parks and Recreation By-law:**

Parks & Recreation: Any person who violates the rules and regulations as adopted by the Parks and Recreation Committee for a property managed by the Parks & Recreation Department shall be punished by a fine of \$50 for the first offense, \$100 for the second offense, and \$250 for the third and subsequent offenses. Employees of the Parks & Recreation Department, Police Department or the Animal Control Officer are authorized to use the non-criminal disposition provisions of G. L. c. 40, § 21D, to enforce this By-law.

**(RECOMMENDED 3-1)**

**ARTICLE 4:** To see if the Town will vote to transfer from the remaining balance of Article 6 of the 2010 Annual Town Meeting for a basketball court to the Fiscal Year 2013 budget the following amounts: \$4,000 to 640-5120 Recreation Personal Services and \$3,000 to 640-5700 Recreation Expenses to fund a new basketball program.

**(RECOMMENDED 4-0)**

**ARTICLE 5:** To Appropriate from Free Cash the amount of Nine Hundred Thirty Six Dollars (\$936.00) to pay the wages of an Animal Control Officer at Lambert's Cove Beach from June 15, 2012 through June 30, 2012.

**(RECOMMENDED 3-1)**

**ARTICLE 6:** To Raise and Appropriate the amount of Five Thousand Five Hundred Seventy Seven Dollars and Twenty One Cents (\$5,577.21) to be added to the FY 2013 Budget line 292-5120 Animal Control Officer Personal Services to pay the wages of an Animal Control Officer at Lambert's Cove Beach from July 1, 2012 to September 15, 2012 and June 15, 2013 to June 30, 2013.

**(RECOMMENDED 3-1)**

**ARTICLE 7:** To Appropriate from Free Cash the amount of One Thousand Six Hundred Fifty One Dollars and Twenty Cents (\$1,651.20) to pay the wages of additional Parking Lot Attendant staffing at Lambert's Cove Beach from June 15, 2012 through June 30, 2012.

**(RECOMMENDED 3-1)**

**ARTICLE 8:** To Raise and Appropriate the amount of Seven Thousand Five Hundred Eleven Dollars and Seventy Four Cents (\$7,511.74) to be added to the FY 2013 Budget line 632-5120 Lambert's Cove Beach Personal Services to pay the wages of additional Parking Lot Attendant staffing at Lambert's Cove Beach from July 1, 2012 to September 15, 2012 and June 15, 2013 to June 30, 2013.

**(RECOMMENDED 3-1)**

**ARTICLE 9:** To see if the Town will vote to transfer the a sum of money not to exceed Twenty Thousand Dollars (\$20,000) from the remaining funds from the Town Hall Renovation Project voted at the 2008 Annual Town meeting and further to transfer a sum of money not to exceed One Thousand Seven Hundred One Dollars and Eighty Five Cents (\$1,701.85) remaining from the Library Parking Lot Lighting article voted at the 2010 Annual Town Meeting and Further to Transfer from Free Cash a sum of money not to exceed Twenty Four Thousand Two Hundred Eighty Nine Dollars and Fifteen Cents (\$24,289.15) for a total a sum of money not to exceed Forty Five Thousand Nine Hundred Ninety One Dollars (\$45,991.00) to be used towards resurfacing the shared West Tisbury Library and Howes House parking area. Such amount to be a portion of a larger expenditure, as part of the Library renovation project, for said purpose in a manner that will satisfy the conditions assumed by the town when the town accepted the gift of this property from Gladys Jones in 1976.

**(MOTION TO RECOMMEND FAILED 2-2)**

**ARTICLE 10:** To see if the Town will vote to Raise and Appropriate the sum of Eight Thousand Three Hundred Thirty Three Dollars (\$8,333) as the Town's one-third share of training and related services provided to the Tri-Town Ambulance staff during fiscal year 2013.

**(RECOMMENDED 3-1)**

And you are directed to serve this Warrant by posting attested copies thereof in not less than six (6) public places in West Tisbury fourteen days at least before the holding of such meeting.

Hereof fail not and make due return of this Warrant with doings thereon to the Town Clerk at the time and place of Meeting aforesaid.

Given under our hands this 16th Day of May in the Year Two Thousand Twelve.

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Cynthia E. Mitchell, Chairman

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Richard Knabel

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Jeffrey S. Manter

WEST TISBURY SELECTMEN

DATE:

I have posted attested copies of the above Warrant in not less than six (6) public places in West Tisbury fourteen (14) days before such meeting.

Timothy Maley  
Constable

A true copy, attest:

Tara J. Whiting  
Town Clerk